
DIGEST

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White

HB No. 792

Abstract: Creates a recreation district in the city of Central.

Proposed law creates a body politic and corporate in the city of Central known as the Central Recreation District, the boundaries of which shall be coterminous with city boundaries, to plan, develop, and operate the public park and recreational properties and facilities in the district and administer programs and activities that promote recreation and the general health and well-being of citizens. Provides that the district shall be a political subdivision as defined in present constitution.

Proposed law provides that the district shall be governed by a board of commissioners, members of whom shall be qualified voters and residents of the district and at least 21 years of age, that shall be composed as follows:

- (1) The members of the La. House of Representatives whose districts encompass a portion of the area of the district shall each appoint one member.
- (2) The member of the La. Senate whose district encompasses all or the greater portion of the area of the district shall appoint one member.
- (3) The mayor of Central shall appoint one member.
- (4) The governing authority of the city of Central shall appoint one member.

Proposed law provides that board members shall serve four-year terms after initial terms as follows: one member shall serve an initial term of four years; one member shall serve an initial term of three years; two members shall serve initial terms of two years; and one member shall serve an initial term of one year, as determined at the first meeting of the board. Provides that any vacancy occurring prior to the expiration of the term for which a board member has been appointed shall be filled for the remainder of the unexpired term in the same manner as the original appointment and that board members shall be eligible for reappointment. Provides that the board shall elect from its members a chairman, a vice chairman, a secretary-treasurer, and other such officers deemed necessary and that officers' duties shall be fixed by board bylaws. Provides the secretary-treasurer shall maintain the district's minute books and archives and that the district's monies, funds, and accounts shall be in the board's official custody. Provides that board members shall receive a \$75 per diem for each meeting they attend, not to exceed 12 meetings per year, and that such per diem shall be paid out of district funds.

Proposed law provides that the district shall have the following powers:

- (1) To acquire, purchase, lease as lessee, and hold and use any property, real, personal or mixed, tangible or intangible, or any interest therein necessary or desirable for its purposes, and to sell, transfer, lease as lessor, and dispose of any property or interest therein.
- (2) To acquire by purchase, lease, or otherwise and to construct, improve, maintain, and operate park and recreational facilities and to administer programs which it deems necessary to district purposes.
- (3) To enter into agreements with any person or persons, corporation, association, or other entity, including public corporations, political subdivisions, municipalities, the U.S. government and agencies thereof, the state or any of its agencies, or any combination thereof for the operation of park and recreation properties and facilities.
- (4) To enter into contracts with any public or private entity in carrying out its purposes, including contracts for construction or acquisition of property and facilities incident to district purposes.
- (5) To fix, collect, and revise rates, charges, and rentals for parks facilities and services as necessary.
- (6) To adopt bylaws for the management and regulation of its affairs and for the regulation and control of recreational and park facilities within its jurisdiction.
- (7) To cooperate and contract with U.S. government or any department or agency thereof and with the state or any department, agency, or political subdivision thereof and to accept gifts, grants, and donations or property and money therefrom.
- (8) To cooperate with the state or any political subdivision, department, agency, or corporation of the state for the construction, operation, and maintenance of facilities designed to accomplish district purposes on any basis, including the matching of funds, and by participating in projects authorized by federal or state law as it shall see fit.
- (10) To pledge all or any part of its revenues.
- (11) For the 2008 and 2009 tax years, to levy and collect annually an ad valorem tax not to exceed 14 mills within the district in accordance with present constitution. For the 2010 tax year and thereafter authorizes the district to levy and collect such a tax not to exceed 14 mills, subject to voter approval, for the period of time provided in the ballot proposition. Also authorizes the levy of an additional tax, with voter approval (in addition to the tax not exceeding 14 mills) at the rate and for the time period provided by the ballot proposition. (All such taxes shall be collected in the same manner as other ad valorem taxes, and the avails of any such tax shall be used solely for acquisition,

construction, improvement, maintenance, and operation of park and recreational facilities or improvements.)

- (12) To issue bonds for the purpose of constructing, acquiring, improving, maintaining, or extending park and recreational facilities of the commission pursuant to present constitution and statutory authority supplemental thereto. Such bonds may be issued only after voter approval.

Proposed law provides that effective July 1, 2008, the board may be appointed and shall be granted the powers provided by proposed law. Provides that beginning on such date, BREC shall no longer have the authority to levy and collect any taxes within the geographic boundaries of the Central Recreation District except any ad valorem taxes or portion thereof which avails are pledged as security for bonded indebtedness. Further provides that BREC's authority to levy and collect such taxes shall expire at the time and for the year in which the indebtedness is paid off.

Proposed law provides that the district shall begin the actual operation of public park and recreation properties and facilities within its jurisdiction on January 10, 2009. Provides that beginning on the date the district begins such actual operation, all lands, buildings, and improvements, facilities, and other property vested in the public and subject to management, administration, and control by the Recreation and Park Commission for the Parish of East Baton Rouge (BREC) pursuant to present law but located within the geographic boundaries of the Central Recreation District shall be operated and controlled by such district.

Present law provides that BREC's authority shall extend to the whole parish.

Proposed law excepts the area within the boundaries of the Central Recreation District from BREC's authority.

Present law provides that BREC is the legal successor of the Baton Rouge Parish and Municipal Recreation Commission for the Parish of East Baton Rouge (EBR), and succeeds to all of the rights and obligations of such recreation commission, and to the ownership of all of the property, movable or immovable, tangible or intangible, owned by such former recreation commission, and to all of the rights, privileges, and concessions of every kind and nature invested in and exercised by such recreation commission, by the city of BR, or the parish of EBR.

Proposed law retains present law except as provided in proposed law.

Present law authorizes BREC to impose and collect from year to year taxes upon all of the taxable property carried on the assessment rolls of EBR Parish.

Proposed law excepts the property within the boundaries of the Central Recreation District from BREC's taxing authority.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 33:4570, 4570.2, and 4570.4; Adds R.S. 33:4567.1)